

REMARKS

Applicant respectfully requests reconsideration of the subject application as amended. In response to the Office Action mailed 8/10/07, Applicant is filing this amendment. Claims 1-7, 9, 10, 29, 30 and 32-35 are still pending.

In the Office Action of 8/10/07, the Examiner has rejected claims 1, 3, 5, 9, 29 and 33 under 35 U.S.C. §102(e) as being anticipated by Beadle et al. (U.S. Patent 7,039,709; "Beadle") and rejected claims 2, 4, 6-8, 10, 30, 32, 34 and 35 under 35 U.S.C. §103(a) as being unpatentable over the same Beadle reference. Applicant submits that Beadle fails to disclose the elements of the independent claims, as amended, for the following reasons.

Beadle discloses a method, system and program product for utilization within a client that provides an optimal connection between the client and a network. The client is provided with multiple connection media and the best route for completing the connection request is selected.

Applicant submits that Beadle does not differentiate among the different types of transactions (e.g., packet data, input/output and cache coherency transactions) that are recited in the amended independent claims 1 and 29. The Examiner has noted that Beadle discloses I/O transactions and further that a cache coherency transaction is an I/O transaction. Also, the Examiner has cited Beadle at col. 11, lines 6-12 as disclosing the caching of session information and equated this with the teaching of a cache coherency transaction. Applicant submits that categorizing a cache coherency transaction as an I/O transaction is incorrect. I/O transactions are transaction to I/O devices, whereas cache coherency transactions are transactions that maintain coherency between the various cache memories that communicate with each other. In this instance the cache coherency is maintained between the nodes. Likewise, the refreshing of a particular session information cache is not the same as maintaining cache coherency among cache memories in various nodes.

Accordingly, Applicant submits that the amended claims distinguish over Beadle and Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §102(e) and 35 U.S.C. §103(a) rejections.

Accordingly, Applicant solicits the Examiner for allowance of pending claims 1-7, 9, 10, 29, 30 and 32-35, as amended.

Furthermore, in order to respond to the outstanding office action, Applicant is submitting a petition for one-month extension of time under a separate cover.

If there are any fee shortages related to this response, please charge such fee shortages to Deposit Account No. 50-2126.

Respectfully submitted,

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